

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

MACKINAC CENTER FOR PUBLIC POLICY,

Plaintiff,

Case No. 1:23-cv-10795

v.

Honorable Thomas L. Ludington  
United States District Judge

U.S. DEPARTMENT OF EDUCATION, et al.,

Defendants.

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**ORDER GRANTING STIPULATION TO ADJOURN DEFENDANT KRAUSE’S  
RESPONSE DEADLINE**

On April 6, 2023, Plaintiff Mackinac Center for Public Policy filed a Complaint against the U.S. Department of Education (the Department); its Secretary, Miguel Cardona, in his official capacity; and its Chief Operating Officer of Federal Student Aid, Richard Cordray, in his official capacity alleging that the Department’s COVID-19 policy to pause monthly student loan payments and interest accrual violated the Constitution and the Administrative Procedures Act. ECF No. 1.

On June 26, 2023, this Court adjourned Defendants’ deadline to respond until September 29, 2023. ECF No. 17. But on September 29, 2023, the Parties filed a joint Motion to Stay Defendant’s Deadline to Respond. ECF No. 18. According to the Motion, Plaintiff “intends to file an amended complaint by October 6 . . . that will differ substantially from the currently operative complaint, incorporating events that have occurred since the original complaint was filed” and that “[t]he filing of [the] amended complaint will moot any motion Defendants might file attacking the currently operative complaint.” *Id.* at PageID.155–156.

For good cause, the Parties’ joint Motion to Stay will be granted. *See* FED. R. CIV. P. 6(b)(1)(A).

Accordingly, it is **ORDERED** that the Parties' joint Motion to Stay Defendant's Deadline to Respond to the Complaint, ECF No. 18, is **GRANTED**.

Further, it is **ORDERED** that Defendant's deadline to respond to Plaintiff's Complaint, ECF No. 1, is **STAYED** until October 10, 2023, or until further order of this Court.<sup>1</sup>

**This is not a final order and does not close the above-captioned case.**

Dated: October 4, 2023

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

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<sup>1</sup> If Plaintiff files an amended complaint, Defendants will have 60 days from service of the amended complaint to file their responses, in accordance with Civil Rule 12(a)(2).